

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

ROBERT EARL FORTE,

Plaintiff,

Civil No. 07-1810-AA

v.

ORDER

G. RANSIER, et al.,

Defendants.

AIKEN, District Judge.

By Order (#34) entered October 6, 2008, plaintiff was allowed 30 days to file a responsive brief or to show cause in writing why defendants' unopposed motion to dismiss should not be allowed. Plaintiff was advised that failure to show cause as directed would result in the dismissal of this action.

Plaintiff has not responded to the court's order or requested an extension of time in which to respond.

Defendants' Motion to Dismiss (#29) and attachments

establish that plaintiff has not exhausted his administrative remedies with respect to his claims in this action. Accordingly, defendants' Motion to Dismiss (#29) is allowed. See, Wyatt v. Terhune, 315 F.3d 1108, 1120 (9th Cir. 2003).

This action is dismissed.

IT IS SO ORDERED.

DATED this 3 day of December, 2008.

/s/ Ann Aiken

Ann Aiken
United States District Judge